

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DARIUS F. QUEEN # 305-181,

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Plaintiff,

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v.

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Civil No. WDQ-02-3885

H.D. WARD

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Defendant.

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**CONSENT MOTION TO EXTEND
DEADLINES IN SCHEDULING ORDER**

_____Defendant, H.D. Ward, by his attorneys, J. Joseph Curran, Jr., Attorney General of Maryland, and Phillip M. Pickus, Assistant Attorney General, move to extend the deadlines in the Court's Scheduling Order, and states:

1. By Order dated February 27, 2002, this Court granted Plaintiff's Consented Motion to an Extension of Deadlines in the Court's Scheduling Order.

2. Since February, Defendant's counsel and Plaintiff's counsel have cooperated in an attempt to complete the discovery process. A large number of documents have been provided to Plaintiff's counsel and this has led to additional requests. Defendant's counsel and Plaintiff's counsel have also tried to schedule depositions within the current Scheduling Order but, because of scheduling conflicts and the fact counsel will need to travel to the

eastern shore for several days, have been unable to do so. The witnesses that will be deposed have also been unavailable for substantial periods of time.

3. As a result of these delays, both Defendant's counsel and Plaintiff's counsel agree discovery cannot be completed under the current schedule. An additional three months should ensure that this process can be completed.

4. Accordingly, Defendant respectfully requests that the remaining deadlines included in the Court's Scheduling Order be extended by three months as follows:

- a. that the deadline for discovery be extended from June 8, 2004 to September 8, 2004;
- b. that the deadline for a status report be extended from June 8, 2004 to September 8, 2004;
- c. that the motions deadline be extended from July 8, 2004 to October 8, 2004; and
- d. that the pretrial conference be rescheduled from September 8, 2004 to December 8, 2004 or to another date on which the Court is available.

5. Defendant's counsel has discussed this matter with counsel for the Plaintiff, Paul S. Cailoa, Esq., who consents to the extension requested in this Motion.

Respectfully submitted

J. JOSEPH CURRAN
Attorney General of Maryland

/s/
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Attorneys for Defendant

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ORDER

_____ On this _____ day of _____, 2004, it is hereby ORDERED that:

1. the Consent Motion to Extend Deadlines in Scheduling Order is GRANTED and;
2. the deadlines in the November 6, 2003 Scheduling Order are EXTENDED as follows:
 - a. the deadline for discovery is extended to September 8, 2004;
 - b. the deadline for a status report is extended to September 8, 2004;
 - c. the motions deadline is extended to October 8, 2004; and
 - d. the pretrial conference is scheduled for _____, 2004.

Judge William D. Quarles, Jr.
United States District Judge